

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN BROADCASTING  
COMPANIES, INC., DISNEY  
ENTERPRISES, INC., TWENTIETH  
CENTURY FOX FILM CORPORATION,  
CBS BROADCASTING INC., CBS STUDIOS  
INC., FOX TELEVISION STATIONS, LLC,  
FOX BROADCASTING COMPANY, LLC,  
NBCUNIVERSAL MEDIA, LLC,  
UNIVERSAL TELEVISION LLC, and OPEN  
4 BUSINESS PRODUCTIONS, LLC,

*Plaintiffs and Counterclaim-Defendants,*

v.

DAVID R. GOODFRIEND and SPORTS  
FANS COALITION NY, INC.,

*Defendants and Counterclaim-Plaintiffs.*

Case No.: 19-cv-7136-LLS

**ORAL ARGUMENT REQUESTED**

**NOTICE OF DEFENDANTS' MOTION TO EXCLUDE  
PLAINTIFFS' EXPERT WITNESS JEFFREY A. EISENACH, PH.D.**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, the Declaration of Laura B. Najemy, and the exhibits attached thereto, Defendants David R. Goodfriend ("Goodfriend") and Sports Fans Coalition NY, Inc. ("SFCNY") (together "Defendants"), by and through their undersigned attorneys, hereby move this Court, before the Honorable Louis L. Stanton, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 1007, for an Order granting Defendants' motion to exclude the opinions and testimony of Plaintiffs' expert witness Jeffrey A. Eisenach, Ph.D.

Dated: July 1, 2021

Respectfully submitted,

/s/ R. David Hosp

R. David Hosp

Mark S. Puzella (admitted pro hac vice)

Sheryl Koval Garko (admitted pro hac vice)

Caroline K. Simons

Laura B. Najemy (admitted pro hac vice)

ORRICK, HERRINGTON & SUTCLIFFE LLP

222 Berkeley Street, Suite 2000

Boston, MA 02116

Tel: (617) 880-1800

dhosp@orrick.com

mpuzella@orrick.com

sgarko@orrick.com

csimons@orrick.com

lnajemy@orrick.com

Elizabeth E. Brenckman

Lindsay Rindskopf

ORRICK, HERRINGTON & SUTCLIFFE LLP

51 West 52<sup>nd</sup> Street

New York, NY 10019-6142

Tel: (212) 506-5000

ebrenckman@orrick.com

lrindskopf@orrick.com

Shane D. Anderson (admitted pro hac vice)

ORRICK, HERRINGTON & SUTCLIFFE LLP

777 South Figueroa Street, Suite 3200

Los Angeles, CA 90017

Tel: (213) 629-2020

sanderson@orrick.com

Erin M.B. Leach (admitted pro hac vice)

ORRICK, HERRINGTON & SUTCLIFFE LLP

2050 Main St. Suite 1100

Irvine, CA 92614

Tel: (949) 567-6700

eleach@orrick.com

Mitchell L. Stoltz

ELECTRONIC FRONTIER FOUNDATION

815 Eddy Street

San Francisco, CA 94109

Tel: (415) 436-9333  
mitch@eff.org

*Counsel for Defendants and Counterclaim-  
Plaintiffs David R. Goodfriend and Sports  
Fans Coalition NY, Inc.*